


UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE

FILED BY  D.C.

05 MAY 24 AM 6:38

JOE BRUCE, JR. and  
ANNIE BRUCE, wife

Robert L. Hutto  
CLERK, U.S. DIST. CT.  
W. D. OF TN, MEMPHIS

v.

Docket No. 04-2566 – MA/P  
JURY DEMANDED

TENNESSEE VALLEY AUTHORITY

Defendant.

ORDER OF DISMISSAL AS TO PERMANENT GENERAL  
ASSURANCE CORPORATION ONLY

Comes now the Plaintiff and Permanent General Assurance Corporation, the unnamed Defendant in this matter, and announce to the Court that they have agreed that this suit, insofar as it expresses a claim against Permanent General Assurance Corporation, shall be dismissed as to Permanent General Assurance Corporation subject to certain conditions. Based on the foregoing, it is hereby,

**ORDERED, ADJUDGED, AND DECREED** that

1. This suit, insofar as it expresses a claim against Permanent General Assurance Corporation, is hereby dismissed without prejudice to its being refiled.

2. The action against Permanent General Assurance Corporation may be reinstated without reissuance of process upon notice to Permanent General Assurance Corporation that the liability insurance coverage afforded to Tennessee Valley Authority has been denied, or that the coverage has otherwise failed.

3. With regard to any reinstituted action, Permanent General Assurance Corporation expressly waives any defense it might have based on the saving statute T.C.A. § 28-1-105, or any other applicable statute of limitations.

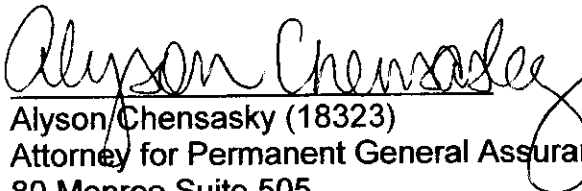
4. Costs attributable to the claim against Permanent General Assurance Corporation will be taxed in accordance with the final order of judgment or dismissal entered in this matter.

Entered this 23<sup>d</sup> day of May, 2005.

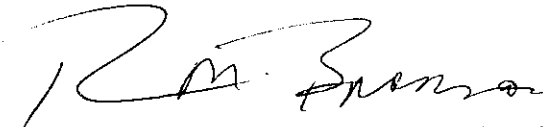


\_\_\_\_\_  
DISTRICT JUDGE

APPROVED FOR ENTRY:



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## Notice of Distribution

This notice confirms a copy of the document docketed as number 22 in case 2:04-CV-02566 was distributed by fax, mail, or direct printing on May 24, 2005 to the parties listed.

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Honorable Samuel Mays  
US DISTRICT COURT